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## Hong Kong

**Post:** Hong Kong

### **HKG Revised Pesticide List Updated but Unpublished**

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**Report Highlights:**

The Hong Kong Center for Food Safety (CFS) has completed revisions to the list of pesticide MRLs as part of the adoption of its pesticide regulation which will become effective August 2014. However, the Hong Kong government (HKG) does not intend to release the revised list to the public before it is tabled at the Legislative Council for vetting and approval. The Pesticide Residues in Food Regulation enacted in 2012 will become effective August 2014 after a two-year grace period. The HKG pledged that they would update the list before the effective date by incorporating changes adopted by Codex in 2012 and 2013 and taking into account of the proposals made by stakeholders. The list could be effectively updated only if the amendment is approved by the Legislative Council.

## **Background**

Hong Kong enacted its first-ever pesticide residues regulation in 2012, which will enter into force on August 1, 2014. This Pesticide Residues in Food Regulation specifies in Schedule 1 a list of maximum residue limits (MRLs)/extraneous maximum residue limits (EMRLs) for certain pesticide-food pairs. In addition, a list of exempted pesticides is specified in Schedule 2 of the Regulation. The presence of any of these pesticide residues in food at levels exceeding the MRLs/EMRLs in Schedule 1 is not permitted under the Regulation. Except for exempted pesticides, import and sale of food containing pesticide residues with no MRLs/EMRLs in Schedule 1 is only permitted if the consumption of the food concerned is not dangerous or prejudicial to health based on assessment conducted by the HKG's Center for Food Safety (CFS).

The HKG has pledged to incorporate the July 2013 updates adopted by the international standard setting body Codex into the Schedules of the Regulation before its implementation in 2014. Also, the HKG has encouraged the trade, including foreign exporters, to submit any remaining proposals on additions/revisions to the MRLs/EMRLs and additions to exempted substances for their consideration in the light of this updating exercise before February 2013.

## **HKG's Briefing to Legislative Council on the Upcoming Amendment to the Pesticide List**

In preparation for the tabling of the proposed amendment to the pesticide regulation with respect to the updates of the pesticide list on the Schedule, Hong Kong CFS officials briefed Legislative Council members of the proposed changes in advance. The changes are summarized below.

For the MRLs/EMRLs listed in Schedule 1 to the Regulation, 431 will be added, 347 will be removed, and 417 will be revised. Overall, the number of MRLs/EMRLs will increase from 7,083 to 7,167. As for the number of pesticides, one pesticide, namely thiodicarb will be added to Schedule 1 while three others (fosetyl aluminium, thidiazuron and triphenyltin hydroxide) will be removed. As a result, the number of pesticides contained in Schedule 1 to the Regulation will be reduced from 360 to 358.

The government officials explained that the changes incorporated the latest updates to MRLs adopted by Codex in 2012 and 2013, while taking into account proposals made by stakeholders following the enactment of the Regulation in June 2012.

The proposed changes are still subject to further revision based on comments of Legislative Council members.

## **Latest development of the Regulation**

The HKG has already revised the Schedule 1 pesticide list, but they are not planning to release it to the public before they are ready to table it to the Legislative Council for vetting.

The HKG adopted the "modified positive list" approach by which the "import and sale of food

containing such pesticide residues is only allowed if the consumption of the food concerned is considered not dangerous or prejudicial to health based on risk assessment. This means that if pesticide residues are found in food and such pesticides are not on Schedule 1 and the exempted list of Schedule 2, the HKG will conduct a risk assessment.

The HKG pledged that they would continue to update MRLs and commodity classifications consistent with Codex changes. The regulation also provides a mechanism for applications for revising/adding MRLs/EMRLs of pesticides already included on the list. All applications for revising/adding MRLs/EMRLs and updating new Codex MRLs will be free of charge.